

BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE

REGULATORY AUTH.
02 APR 18 PM 4 21

In re: *Generic Docket to Establish UNE
prices for Line Sharing per FCC 99-
355 and Riser Cable and Terminating
Wire as Ordered in TRA Docket No.
98-00123*

)
)
)
)
)
)

OFFICE OF THE
EXECUTIVE SECRETARY

Docket Number 00-00544

**DEICA COMMUNICATIONS, INC. D/B/A COVAD COMMUNICATIONS
COMPANY'S PETITION FOR CLARIFICATION**

DEICA Communications, Inc. d/b/a Covad Communications Company ("Covad") respectfully requests that the Tennessee Regulatory Authority (the "Authority" or "TRA") clarify its First Initial Order issued in this docket by ordering assignment of a permanent rate \$18.18 for BellSouth Telecommunications, Inc.'s ("BellSouth") proposed element J.4.3: Line Sharing Splitter—Per-Line Activation—Central Office ("Nonrecurring Per-Line Activation Cost"). The Initial Order did not include any rate for this element.

The Nonrecurring Per-Line Activation Cost accounts for costs incurred by BellSouth in provisioning a line shared loop within the Central Office. For the Authority's convenience, testimony on the appropriateness of this charge can be found in the following locations in the record:

- The Rebuttal Testimony of Michael Zulevick on behalf of the Data Coalition filed on November 20, 2000 (all);

POSTED
4/18/02

- The Rebuttal Testimony of Daniel R. Gordon on behalf of the United/Sprint filed on November 20, 2000 recommending a rate of \$18.18 (page 14);
- The Rebuttal Testimony of Dean R. Fassett on behalf of the Data Coalition filed on November 20, 2000 (pages 48-50);
- The Rebuttal Testimony of Michael Starkey on behalf of the Data Coalition filed on November 20, 2000 (pages 79-105);

Also for the Authority's convenience, the following table provides comparisons of BellSouth's proposed cost of \$39.39 for Element J.4.3 with the cost in other states served by BellSouth:¹

BellSouth Proposed, Tennessee	Alabama	Florida	Georgia	Kentucky	Louisiana	North Carolina
\$39.39	\$18.51 ²	\$29.68 ³	\$10.51 ⁴	\$37.16 ⁵	\$17.97 ⁶	\$40.00 ⁷

¹ Covad does not provide DSL services to customers in Mississippi or South Carolina. Accordingly, these states have been omitted from the below list.

² Rate contained in pending Order of the Alabama Public Service Commission in Docket No. 25980 to be issued later this week or next week.

³ Ordered by the Florida Public Service Commission in an arbitration in Docket No. 001797-TP (Order No. PSC-01-2017-FOF-TP). This Order was issued on October 9, 2001.

⁴ Ordered as interim rates by the Georgia Public Service Commission in Docket No. 11900 in an order date June 11, 2001.

⁵ Ordered by the Kentucky Public Service Commission in Docket No. 382 in an order dated December 18, 2001.

⁶ Ordered by the Louisiana Public Service Commission in Docket No. U-24714 in an Order dated September 21, 2001.

⁷ Ordered by the North Carolina Public Service Commission in Docket No. P-100, Sub. 133d, in an Order dated June 1, 2000. The North Carolina Public Service Commission will be reconsidering this rate in proceedings later this year.

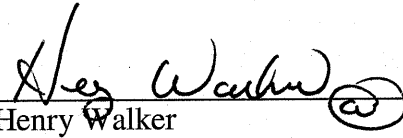
North Carolina will be examining its rate for this element in a proceeding later this year, and the trend of the forward-looking rates set by other states supports the cost of for this element of \$18.18 proposed by Mr. Gordon in his testimony cited above.

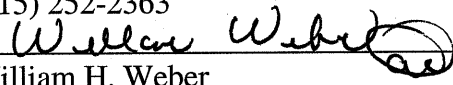
For the foregoing reasons, Covad respectfully requests that the Authority set a permanent rate of \$18.18 for Element J.4.3 in this docket.

Respectfully submitted,

BOULT, CUMMINGS, CONNERS & BERRY, PLC

By:


Henry Walker
414 Union Street, Suite 1600
P.O. Box 198062
Nashville, Tennessee 37219
(615) 252-2363


William H. Weber
Covad Communications Company
19th Floor, Promenade II
1230 Peachtree Street, NE
Atlanta, GA 30309
(404)942-3494

*Attorneys for DIECA Communications, Inc.
d/b/a Covad Communications Company*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been forwarded via U.S. Mail, postage prepaid, and/or hand delivered to the following on this the 18th day of April, 2002.

Guy Hicks, Esq.
BellSouth Telecommunications, Inc.
Suite 2101
333 Commerce Street
Nashville, Tennessee 37201-3300

Sylvia Anderson, Esq.
AT&T
1200 Peachtree St., NE
Suite 8100
Atlanta, GA 30309

James Wright, Esq.
United Telephone Southeast
14111 Capitol Blvd.
Wake Forest, NC 27587

Charles B. Welch, Esq.
Farris, Mathews, Branan & Hellen PLC
205 Capitol Blvd., Suite 303
Nashville, TN 37219

R. Dale Grimes, Esq.
Bass, Berry & Sims, LC
2700 First American Center
Nashville, TN 37238-2700

Dana Shaffer, Esq.
XO Tennessee, Inc.
105 Molloy St., Suite 300
Nashville, TN 37201

Susan Berlin, Esq.
MCI Telecommunications d/b/a
MCI WorldCom
6 Concourse Parkway
Atlanta, GA 30328

Bennett Ross, Esq.
BellSouth Telecommunications, Inc.
675 W. Peachtree St., Suite 4300
Atlanta, GA 30375

John Spilman
Director of Regulatory Affairs and
Industry Relations
BroadSlate Networks, Inc.
675 Peter Jefferson Parkway, Suite 310
Charlottesville, VA 22911

